

REMARKS

Claims 1 - 32 are pending in the present application. Claims 18 – 32 are newly added by the present amendment.

In section 7 of the Office Action, claims 2 – 6, 8 – 10, 12 and 13 are objected to, but Applicants note with appreciation that the Examiner indicates these claims would be allowable if rewritten in independent form. Applicants rewrote claim 2, 5, 8 – 10 and 12 in independent form. Claims 3 and 4 depend from claim 2, claim 6 depends from claim 5, and claim 13 depends from claim 12, and as such, it is not necessary to rewrite claims 3, 4, 6 and 13 in independent form. Applicants submit that claims 2 – 6, 8 – 10, 12 and 13 are all presently in condition for allowance. Withdrawal of the objection to claims 2 – 6, 8 – 10, 12 and 13 is respectfully solicited.

Section 2 of the Office Action objects to claims 14 – 16 and requires the claims to use the full form of the terms TDR, OTDR and WDM. Applicants amended 14 – 16 to use the full form of these terms. Withdrawal of the objection to claims 14 – 16 is respectfully solicited.

In addition to rewriting claims 2, 5, 8 – 10 and 12 in independent form, and amending claims 14 – 16 to overcome the aforementioned objection, Applicants amended claims 3, 6, 7 and 17 to improve their form.

In section 4 of the Office Action, claims 1, 7, 11 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,755,582 to Charlton (hereinafter “the Charlton patent”). Applicants respectfully traverse this rejection.

Claim 1 provides for a device for measuring and/or verifying components of optical and/or electrical networks. The device includes, *inter alia*, a case, a connection jack located on the case, and a lift device with which the connection jack can be adjusted relative to the case between a lifted position and a lowered position.

The Charlton patent describes a retractable apparatus that is mounted in a floor or other flat mounting surface. FIGS. 1 – 2 show various aspects of a door security device 20 mounted flush with a top surface of a floor 24 (col. 4, lines 13 – 26). FIG. 8 is an illustration of a utility box 118 with a pair of electrical outlets 124, with utility box 118 having the same construction and operation as security device 20 (col. 7, lines 60 – 66). Thus, utility box 118 is implicitly described as being mounted flush with a top surface of a floor.

Applicants have not found any description or suggestion in the Charlton patent relating to a device for measuring and/or verifying components of optical and/or electrical networks. Furthermore, as the Charlton patent describes utility box 118 as being mounted flush with a top surface of a floor, it does not describe a connection jack located on a case, much less that the connection jack can be adjusted relative to the case between a lifted position and a lowered position. Consequently, the Charlton patent does not describe (a) a device for measuring and/or verifying components of optical and/or electrical networks, (b) a connection jack on a case, and (c) that the connection jack can be adjusted relative to the case between a lifted position and a lowered position, all of which are recited in claim 1. As such, the Charlton patent does not anticipate claim 1.

Claim 7 depends from claim 1. As such, the Charlton patent does not anticipate claim 7.

Claim 11 depends from claim 1 and further recites, that the electrical and/or optical connection between the connection jack and the connected lead, or between the connection jack and the adapter connected to it works in any position of the connection jack. In contrast, the Charlton patent expressly states that the outlets and items plugged into the outlets of utility box 118 could be damaged if the retractable member 120¹ of FIG. 8 is inadvertently closed, and so includes a pair of spring biased plungers 126, which are extended to prevent accidental closure (col. 7, line 66 – col. 8, line 7). Whereas the Charlton patent expressly states that the outlets and items plugged into the outlets of utility box 118 could be damaged if the retractable member, it does not describe an arrangement that works in any position of the connection jack, as recited in

¹ In the Charlton patent, at col. 7, line 67, the retractable member is designated by reference number 128, but Applicants believe it should be designated by reference number 120.

claim 11. Thus, claim 11 is novel over the Charlton patent, not only because of claim 11 being dependent on claim 1, but also on its own merits.

Claim 17 is an independent claim that provides for an apparatus for lifting and lowering an electrical or optical connection jack of a device for measuring and or verifying components of optical and/or electrical networks. The apparatus includes, *inter alia*, spring mechanisms that pre-tension the connection jack in a lifted position relative to a case of the device. Applicants amended claim 17 to clarify that the positioning of the connection jack is relative to a case of the device.

As explained above in support of claim 1, Applicants have not found any description or suggestion in the Charlton patent relating to a device for measuring and/or verifying components of optical and/or electrical networks, and the Charlton patent does not describe a connection jack that can be adjusted relative to a case of such a device. Consequently, the Charlton patent does not describe (a) a device for measuring and or verifying components of optical and/or electrical networks, and (b) the connection jack in a lifted position relative to a case of the device, as recited in claim 17. Accordingly, the Charlton patent does not anticipate claim 17.

Applicants respectfully request reconsideration and withdrawal of the section 102(b) rejection of claims 1, 7, 11 and 17.

In claim 6 of the Office Action, claims 14 – 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,801,953 to Thoma et al. (hereinafter “the Thoma et al. patent”). Applicants respectfully traverse this rejection.

Claims 14 – 16 depend from claim 1, and thus incorporate the features of claim 1. The Office Action recognizes that the Thoma et al. patent does not disclose the details of a socket connected to a device and also does not disclose the socket to have lowered and lifted positions. Accordingly, the Office Action relies on the Charlton patent for the disclosure of these features. However, as explained above in support of claim 1, the Charlton patent does not describe (a) a connection jack on a case, and (b) that the connection jack can be adjusted relative to the case

between a lifted position and a lowered position, as recited in claim 1. Accordingly, the Thoma et al. patent and the Charlton patent, whether considered alone or in combination, fail to describe all of the elements of claim 1. Consequently, claim 1 and all of its dependents are patentable over the cited combination of the Thoma et al. and Chalton patents. Thus, claims 14 – 16 are patentable over the cited combination of the Thoma et al. and Chalton patents.

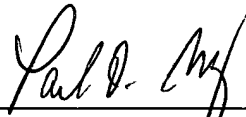
Applicants respectfully request reconsideration and withdrawal of the section 103(a) rejection of claims 14 – 16.

Applicants have added claims 18 - 32 to even further provide the claim coverage that Applicants appear to deserve based on the prior art that was cited by the Examiner. A favorable consideration that also results in the allowance of claim 18 - 32 is earnestly solicited.

In view of the foregoing, Applicants respectfully submit that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicants respectfully request favorable consideration and that this application be passed to allowance.

Respectfully submitted,

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